

TO: Mayor and City Council

FROM: Scott Buening, Community Development Director

DATE: October 14, 2020

RE: Motion to Approve Bid and Sale of parcels north and west of 917 N Van Buren Street

1. **Summary:** Motion to Approve Bid and Sale of parcels north and west of 917 N Van Buren Street.

2. **Background:** The City received one (1) bid to purchase the vacant parcels north and west of 917 N Van Buren Street. The property is two parcels, one located north of and the other west of 917 N Van Buren Street (part of PIN 12-15-429-001). This sale was authorized by the City by Resolution 20-107-R on September 21, 2020. This bid was from Beverly Staton as an adjacent property owner for \$9,000.00. The bid was acceptable in the form and substance submitted. The bid also conforms in that it is at least 80% of the appraised value of \$10,118.00. Staff therefore recommends approval of a Motion to sell the property north and west of 917 N Van Buren Street to Beverly Staton in the amount of \$9,000.00, reserving a 10 foot wide public utility, drainage and access easement over the northern 10 feet of the property being sold. The Council needs to approve this with a 2/3 vote of the corporate authorities.

3. **Alternatives, including no action if viable:**

- a. Motion to approve the bid and sale of land.
- b. Do not make a Motion to sell the land, provide direction to staff on alternative action desired.

- **Budget Impact:** The City will realize funds from the sale of the land as well as additional property tax revenues from the sale of the land and it being added back to the assessment rolls.

- **Staffing Impact:** No impact on staffing.

4. **Timeline for actions:** There is no specific timeline, but an acceptable bid has been submitted and may be withdrawn if no action is taken.

5. **Staff recommendation:** Staff recommends approval of a Motion to Approve of Bid and Sale of parcels north and west of 917 N Van Buren Street to Beverly Staton in the Amount of \$9,000.00 reserving a 10 foot wide public utility, drainage and access easement over the northern 10 feet of the property being sold with Authority to Sign the Deed to the Community Development Director.

Attachments:

1. Bid public notice.
2. Map of Property.
3. Resolution 20-107-R Authorizing the Sale of Land.
4. Copy of Bid.
5. Deed of Property.

**CITY OF BATAVIA, ILLINOIS
RESOLUTION 20-107-R**

**RESOLUTION AUTHORIZING THE SALE OF MUNICIPALLY OWNED REAL ESTATE
NORTH AND WEST OF 917 N. VAN BUREN STREET**

WHEREAS, the City of Batavia (“City”) has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, the City has acquired a parcel of land at 916 Park Street that also includes a parcel just north of 917 N. Van Buren Street; and

WHEREAS, the City has determined that parts of these parcels are surplus and no longer needed for municipal purposes; and

WHEREAS, the area considered to be surplus is approximately 4,000 square feet in size, consisting of a 28 foot (+/-) wide parcel on N. Van Buren Street and a 20 foot wide landlocked parcel at the east side of 916 Park Street, both identified as part of PIN 12-15-429-001, legally described in Exhibit “A” (“Subject Property”); and

WHEREAS, the Subject property is vacant and is zoned R-1M Single Family Medium Density District; and

WHEREAS, the City is advertising this property for sale subject to bids being at least 80% of the appraised value of \$10,118.00; and

WHEREAS, the City will reserve a 10 foot public utility, drainage and access easement along the north side of the parcels being sold, and will convey the property via a Quit Claim Deed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows;

SECTION 1. The recitals set forth above are incorporated in this Resolution as the material findings of Mayor and City Council.

SECTION 2. The City of Batavia has determined that the Subject Property identified as part of PIN 12-15-429-001 and legally described in Exhibit “A” is declared surplus and is no longer needed for municipal purposes.

SECTION 3. The City of Batavia is advertising this parcel for sale at an appraised price of \$10,118.00, and may accept the best offer that is not less than 80% of this value, subject to approval by the City Council. The City reserves the right to reject any or all offers if they are not in the best interest of the City.

SECTION 4. This Resolution shall be published in a newspaper of local circulation after passage.

PRESENTED to and **PASSED** by the City Council of the City of Batavia, Illinois, this 21st day of September, 2020.

APPROVED by me as Mayor of said City of Batavia, Illinois, this 21st day of September, 2020.

s/Jeffery D. Schielke, Mayor

ATTEST

s/Ellen Posledni, City Clerk

EXHIBIT "A"

PARCEL 1: THE EAST 120 FEET (EXCEPTING THE SOUTH 60.0 FEET THEREOF) OF LOT 7 OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS PER THE ASSESSOR'S MAP OF THE TOWNSHIP OF BATAVIA FOR THE YEAR 1885 (ALSO EXCEPTING THAT PART DEDICATED FOR VAN BUREN STREET PER DOCUMENT 2020K042873 RECORDED AUGUST 4, 2020), IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

PARCEL 2: THE WEST 20.0 FEET OF THE EAST 190 FEET OF LOT 7 OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS PER THE ASSESSOR'S MAP OF THE TOWNSHIP OF BATAVIA FOR THE YEAR 1885, IN THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS.

The property as described is advertised for sale to the highest bidder but at a price no less than 80% of the appraised value of \$10,118.00. The property is to be sold as-is and where-is without any warranties or representations. The City will reserve a 10-foot-wide public utility, drainage and access easement across the northern 10 feet of the property sold, and will convey the property by Quit Claim Deed. The property is approximately 4,000 square feet in area, is vacant and is zoned R-1M Single Family Medium Density District.

The City will accept sealed bids for the real estate until 4:00 PM Friday, October 9, 2020. Bids will be opened at that time and referred to the City Council for review and potential awarding of a bid for the property. The City reserves the right to reject any and all bids and to waive any formalities or technicalities in the bidding. Questions regarding this notice can be directed to Scott Buening, Community Development Director at 630-454-2710 or by email at sbuening@cityofbatavia.net.

CITY OF BATAVIA, ILLINOIS

RESOLUTION 20-107-R

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CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DAILY HERALD. That said DAILY HERALD is a secular newspaper and has been circulated daily in the Village(s) of

Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 09/24/2020 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC. DAILY HERALD NEWSPAPERS

BY [Signature] Authorized Agent

Control # 4551762



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**CITY OF BATAVIA, ILLINOIS
RESOLUTION 20-107-R**

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REAL ESTATE NORTH AND WEST OF 917 N. VAN BUREN STREET**

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WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, the City has acquired a parcel of land at 916 Park Street that also includes a parcel just north of 917 N. Van Buren Street; and

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WHEREAS, the area considered to be surplus is approximately 4,000 square feet in size, consisting of a 28 foot (+/-) wide parcel on N. Van Buren Street and a 20 foot wide landlocked parcel at the east side of 916 Park Street, both identified as part of PIN 12-15-429-001, legally described in Exhibit “A” (“Subject Property”); and

WHEREAS, the Subject property is vacant and is zoned R-1M Single Family Medium Density District; and

WHEREAS, the City is advertising this property for sale subject to bids being at least 80% of the appraised value of \$10,118.00; and

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 Jeffrey D. Schielke, Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien	X				Baerren	X			
2	Callahan	X				Wolff	X			
3	Meitzler	X				Chanzit	X			
4	Malay	X				Knopp			X	
5	Uher			X		Beck	X			
6	Cerone	X				Russotto	X			
7	McFadden	X				Miller	X			
Mayor Schielke										
VOTE: 12 Ayes 0 Nays 2 Absent 0 Abstentions Total holding office: Mayor and 14 aldermen										

ATTEST:



 Ellen Posledni, City Clerk

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October 3, 2020

Scott Buening
Community Development Director
City of Batavia

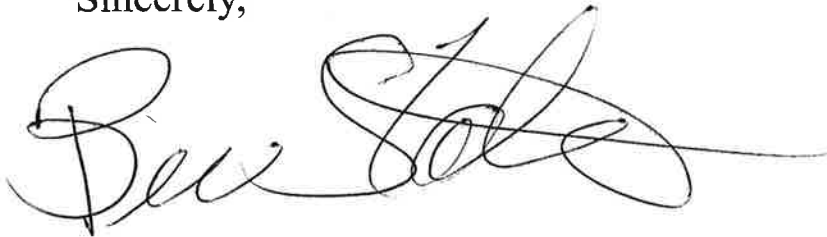
To Whom It May Concern:

Please accept this as my formal bid to purchase two properties from the City of Batavia.

The first parcel being described as the area approximately 4000 square feet in size, consisting of a 28 foot wide parcel on North VanBuren Street, and the second being a 20 foot wide landlocked parcel at the east side of 916 Park Street, of which both of these properties are identified as part of PIN 12.15.429.001.

I am willing to offer the City of Batavia \$9,000.00 for both of the above mentioned properties.

Sincerely,

A handwritten signature in black ink, appearing to read "Beverly Staton". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Beverly Staton

QUIT CLAIM DEED

Statutory (ILLINOIS)

MAIL DEED TO:

Beverly Staton
917 N. Van Buren Street
Batavia, IL 60510

SEND SUBSEQUENT TAX BILLS TO:

Beverly Staton
917 N. Van Buren Street
Batavia, IL 60510

THE GRANTOR, THE CITY OF BATAVIA, a municipal corporation created and existing under and by the Laws of the State of Illinois and duly authorized to transact business in the State of Illinois, having its principal place of business located at 100 N. Island Ave., Batavia, IL 60510, for and in consideration of TEN AND NO/100'S DOLLARS (\$10.00) DOLLARS, and other good and valuable consideration in hand paid, CONVEY AND QUIT CLAIM to **GRANTEE, BEVERLY STATON**, of the City of Batavia, County of Kane, State of Illinois, the following described interest in the Real Estate situated in the County of Kane, in the State of Illinois, legally described as follows to wit:

(See Legal Description attached as Exhibit "A")

Permanent Index Number: 12-15-429-001

Property Address: Vacant Land North and West of 917 N. Van Buren Street

The grantors release and waive all rights in said real estate that they may have under the homestead exemption laws of Illinois.

SUBJECT TO A TEN FOOT WIDE PUBLIC UTILITY, DRAINAGE AND ACCESS EASEMENT OVER THE NORTHERN 10 FEET HEREIN DESCRIBED, FOR THE BENEFIT OF THE CITY OF BATAVIA.

EXEMPT pursuant to 35 ILCS 200/31- 45(b) of The Illinois Real Estate Transfer Tax Law.

Date: _____
Buyer, Seller, Representative

Dated this _____ day of _____, 2020.

THE CITY OF BATAVIA

By: _____

Its: _____

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

I, the undersigned, a Notary Public, do hereby certify that _____ personally known to me to be the same person whose name is respectively as _____ of City of Batavia, a municipal corporation of the State of Illinois, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that he/she, being thereunto duly authorized, signed, sealed and delivered the said instrument as the free and voluntary act of said corporation and as her own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this _____ day of _____, 2020.

This instrument was prepared by:
Scott Buening
City of Batavia
100 N. Island Avenue
Batavia, Il 60510
(630) 454-2700

LEGAL DESCRIPTION

EXHIBIT "A"

PARCEL 1:

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